

.....
Federal Agency Name: US Environmental Protection Agency, Region 8
Funding Opportunity Title: Wetland Program Development Grants for Region 8
Announcement Type: Request for Proposals
Catalog of Domestic Assistance Number: 66.461
Dates: Proposals must be postmarked by December 15, 2004, to be eligible for consideration.

I. FUNDING OPPORTUNITY DESCRIPTION

The goals of the Environmental Protection Agency's (EPA's) wetland program include increasing the quantity and quality of wetlands in the U.S. by conserving and restoring wetland acreage and improving wetland health. In pursuing these goals, EPA seeks to build the capacity of all levels of government to develop and implement effective, comprehensive programs for wetland protection and management.

The Wetland Program Development Grants (WPDGs), initiated in FY90, provide States, Tribes, local governments (S/T/LGs), interstate associations, intertribal consortia (hereafter referred to as applicants or recipients) an opportunity to carry out projects to develop and refine comprehensive wetland programs. The authority for the grant program is Section 104(b)(3) of the Clean Water Act (CWA) which restricts the use of these grant funds to improving wetland programs by conducting or promoting the coordination and acceleration of research, investigations, experiments, training, demonstrations, surveys, and studies relating to the causes, effects, extent, prevention, reduction, and elimination of water pollution.

EPA in this solicitation places new emphasis on projects that will demonstrate how the use of management, technical and information tools lead to a positive environmental outcome. The outcome should be expressed in terms of a goal to document improvement in wetland quantity and quality in specific geographical areas, and across an entire State or Tribal nation. States and Tribes are encouraged to integrate wetland monitoring goals with their existing State and Tribal monitoring strategies that they submit to the EPA regional office.

While WPDGs can continue to be used by recipients to build and refine any element of a comprehensive wetland program, emphasis through the competition process will be given to funding projects that address these four areas as identified by EPA: 1) strengthening State/Tribal comprehensive wetland programs, 2) developing a comprehensive monitoring and assessment program; 3) improving the effectiveness of compensatory mitigation; and 4) refining the protection of vulnerable wetlands and aquatic resources. The Region will target at least 80% of their competitive WPDG funds to projects that focus on one or more of the National program priorities. Applicants are encouraged to develop WPDG applications that address the four National program priorities, described in more detail below.

A. STRENGTHENING STATE/TRIBAL COMPREHENSIVE WETLAND PROGRAMS
EPA recently issued guidance for a new wetland grant program called the *State/Tribal*

Environmental Outcome Wetland Demonstration Program (WDP) Grant Pilot. The purpose of the WDP grant pilot is to fund grants for demonstration projects designed to determine the extent to which wetland program implementation (both regulatory and non-regulatory) achieve positive environmental outcomes – in particular, no net loss, net gain and protection of vulnerable wetlands. The WDP has been designed to determine regulatory or non-regulatory wetland program maturity and determine which wetland programs would successfully demonstrate reporting on environmental outcomes. The first priority of the WPDG is to support States/Tribes to develop mature comprehensive wetland programs. Therefore, EPA encourages WPDG applications which support development of program areas identified in the new WDP grant guidance <http://www.epa.gov/owow/wetlands/grantpilot>.

B. DEVELOPING A COMPREHENSIVE MONITORING AND ASSESSMENT PROGRAM

This solicitation seeks proposals that support the development of a comprehensive S/T/LG wetland monitoring and assessment program. State and Tribal adoption of a wetland monitoring and assessment program is the primary goal of this solicitation (*i.e.*, projects that build S/T/LG capacity to determine the causes, effects, and extent of pollution to wetland resources and develop pollution prevention, reduction, and elimination strategies). More information related to wetland monitoring and assessment can be found at <http://www.epa.gov/owow/wetlands/pdf/monitor.pdf> and <http://www.epa.gov/owow/wetlands/pdf/devgrants.pdf>

EPA encourages the submission of proposals that will develop and demonstrate the use of wetland monitoring surveys to evaluate and report trends in wetland area and condition for specific watersheds and other local planning areas. These smaller scale projects should be conducted in such a manner that the data can be used for large scale assessments such as in a rotating basin design. Proposals should explain how resultant data from the demonstration project will contribute to coverage across a State or Tribal nation. Care should be given in project proposals to describe how acquired wetland monitoring and assessment information will be used to meet one or more of the following objectives:

1. Assessing the ecological consequences of a given regulatory action or group of actions;
2. Improving the evaluation and ranking of potential wetland sites for restoration or acquisition;
3. Developing design or performance standards for wetland restoration, including compensatory mitigation;
4. Evaluating the ecological effectiveness of wetland restoration projects, including compensatory mitigation in a watershed context;
5. Evaluating the cumulative effect of wetland loss and restoration in terms of change in the condition of wetlands and other waterbodies within a watershed;
6. Gathering information to develop or refine water quality standards or related

administrative code to bring added protection to wetlands, including geographically isolated wetlands; and/or

7. Gathering information to develop management strategies to control the spread and adverse effects of non-indigenous, invasive wetland species.
8. Gathering information to develop a science-based approach to evaluate market-based trading programs that involve wetland restoration for pollution and pollutant (e.g., nutrient) reduction.

State and Tribal proposals to monitor and assess the quantity and condition of their wetlands and support the EPA's Program Activity Measure IV-WD-5 as specified in the Fiscal Year 2005 National Water Program Guidance should be given special consideration.
<http://www.epa.gov/water/waterplan/pams/index.htm#wetlands>

When preparing proposals care should be given to ensure that any data collected under the grant or cooperative agreement is of a known and documented quality. For this reason, proposals also may include tasks that describe how an existing or developmental wetland assessment method used in the project will be refined as a project outcome.

To support a proposed project, applicants may also request funds to host technical training workshops, establish regional or State interagency wetland monitoring and assessment workgroups, develop volunteer monitoring programs, and improve wetland inventories (e.g., use of hydrogeomorphic (HGM) wetland classification system). Examples of case studies illustrating wetland monitoring and assessment methods can be found at <http://www.epa.gov/owow/wetlands/bawwg/case.html> and <http://www.epa.gov/region01/eco/wetland/index.html>. Many of the case studies listed on those websites were funded by WPDGs.

C IMPROVING THE EFFECTIVENESS OF COMPENSATORY MITIGATION

S/T/LGs should consider projects that improve the capacity to ensure ecologically effective compensatory mitigation for unavoidable impacts to aquatic resources under the Federal CWA Section 404/401 program or State/Tribal regulatory programs. For example, WPDGs can be used to develop mitigation performance standards. They also can be used to develop and verify assessment methods and/or tracking (reporting) systems that document:

1. the technical adequacy of compensatory mitigation project plans (e.g., plan review standards);
2. the ecological suitability of proposed compensatory mitigation project sites, taking into account a watershed context;
3. the compliance of mitigation projects at various stages of implementation including long-term mitigation site management (perpetual stewardship); and

4. the adequacy of compensatory mitigation for managing cumulative wetland impacts under the Federal CWA Section 404/401 program.

The National Wetlands Mitigation Action Plan, released in December 2002 by EPA and the U.S. Army Corps, describes seventeen action items that the Federal agencies will complete by 2006 in order to improve the ecological performance and results of compensatory mitigation. The tasks identified in the Plan convey the major areas of interest regarding mitigation that are being supported by the Federal agencies. Proposed projects that support such endeavors at the S/T/LG level are encouraged. A copy of the Plan and related documents can be found at: <http://www.MitigationActionPlan.gov>.

Background information describing concepts and methods for improving the effectiveness of compensatory mitigation can be found in a National Academy of Science publication entitled "Compensating for Wetland Losses Under the Clean Water Act." The document can be found at <http://www.nap.edu/books/0309074320/html/>.

Wetland program grant funds can only be used for research, investigations, experiments, training, demonstrations, surveys, and studies to support (or to improve or develop) mitigation programs; they cannot be used for specific mitigation activities (e.g., implementation of individual mitigation projects, mitigation banks, or in-lieu-fee mitigation programs).

D. REFINING THE PROTECTION OF VULNERABLE WETLANDS AND AQUATIC RESOURCES

While all wetlands provide important ecological functions on a watershed and landscape scale, some are more vulnerable than others. For example, geographically isolated wetlands and other waters may be particularly at risk, and wetlands may be subject to impact from activities other than the discharge of dredged or fill material. Information regarding geographically isolated wetlands can be found at <http://www.epa.gov/owow/wetlands/guidance/SWANCC/index.html#studies>.

S/T/LGs wishing to develop comprehensive wetland protection programs to protect such vulnerable waters from a variety of potential impacts are encouraged to do so, and are also encouraged to incorporate wetland issues into broader watershed planning and watershed management goals. Efforts can include, but are not limited to, information dissemination, data exchange, studying S/T/LG regulatory improvement opportunities, and surveying opportunities for land acquisition, conservation easements, and tax incentive provisions. Research, investigation, and studies which support the inclusion of vulnerable wetlands in comprehensive wetland and watershed restoration and protection programs are also encouraged. Funds received through the WPDG competition cannot be used to fund activities to implement a wetlands program, or fund the purchase of land or conservation easements.

E. OTHER PROGRAM AREAS

Region 8 is including no other program priorities for the 2004 WPDG.

II. AWARD INFORMATION

The Region intends to award all WPDG funds through a competitive process to eligible applicants through assistance agreements. Funding decisions for the competition are made by EPA Regional Offices and are based on the quality of the proposals received and adherence to the selection criteria. EPA typically receives requests for funding far in excess of available funds. Therefore EPA cannot provide grant funds to all applicants.

The number of applicants that will be requested to submit a complete application and the number of applications recommended for award depend on the quality of the proposals received and the relative amount of funding requests. The quality of the proposals will be evaluated according to the criteria and selection process noted below. Total funding available for award depends each year on the Wetlands Program's yearly fiscal appropriation. The terms of the period of performance will be determined at time of award. EPA reserves the right to reject all proposals and make no awards.

III. ELIGIBILITY INFORMATION

A. ELIGIBLE APPLICANTS FOR COMPETITIVE PROCESS

States, Tribes, local government agencies, interstate agencies, and intertribal consortia are eligible. Typical wetland or wetland related agencies include, but are not limited to, wetland regulatory agencies, water quality agencies (Section 401 water quality certification), planning offices, wild and scenic rivers agencies, departments of transportation, fish and wildlife or natural resources agencies, agriculture departments, forestry agencies, coastal zone management agencies, park and recreation agencies, non-point source or storm water agencies, city or county and other S/T/LG agencies that conduct wetland-related activities.

In order to be eligible for WPDG funds, Tribes must be Federally recognized, although "Treatment as a State" status is not a requirement. Intertribal consortia that meet the requirements of 40 CFR Part 35.504 are eligible for direct funding.

Interstate agency and intertribal consortia projects must be broad in scope and encompass more than one State, Tribe, or local government.

B. COST SHARING/MATCH REQUIREMENTS

The applicant must provide a minimum of 25% of the total cost of the work plan in accordance with 40 CFR 31.24, 35.385, and 35.615. To determine if the minimum match is met,

EPA will use the following formula:

$$\frac{\text{amount (\$) of federal funds requested from EPA}}{3} = \text{minimum match (\$)}$$

For example, if the applicant requests \$75,000 of federal funds for the three-year project period, it must be able to provide \$25,000 in matching funds or services. A reduced match may be available for Tribal grantees that place the WDP grant funds in a Performance Partnership Grant. (See regulations at 40 CFR 536(c)). Please contact your EPA Regional contact person listed in Section VII if you have any questions about calculating the match requirement. States and Tribes can provide a larger share of the project's cost whenever possible (i.e., in excess of the required 25% of total project costs).

Award recipients can meet the match requirement with contributions from entities other than themselves. However, other Federal money cannot be used as the match for this grant program unless authorized by the statute governing the award of the other Federal funds. Matching funds are considered grant funds. They must be used for the reasonable and necessary expenses of carrying out the assistance agreement work plan. Any restrictions on the use of grant funds (i.e., prohibition of land acquisition with grant funds) also apply to the matching funds

C. LOCAL AND TRIBAL FUNDING TARGETS

The Regional Office will support the local government initiative and Tribal efforts by targeting at least 15% of their Regional allocation to local government and Tribal applications. Tribes are encouraged to submit proposals which involve watershed-based wetlands and stream corridor projects. This supports the EPA's Program Activity Measure (IV-WD-3) as specified in the Fiscal Year 2005 National Water Program Guidance.

D. PERFORMANCE PARTNERSHIP GRANTS

A Performance Partnership Grant (PPG) is a multi-program grant made to a State, Tribe, interstate agency, or intertribal consortium from funds appropriated for many of EPA's environmental program grants. Local governments are not eligible for PPGs. PPGs are voluntary and provide recipients the option to combine funds from two or more environmental program grants into one or more PPGs. PPGs can provide administrative and/or programmatic flexibility.

Funds for a WPDG may be included in a PPG. Under this competition, State proposals must first be selected under the competitive grant process and, in accordance with 40 CFR 35.138, the work plan commitments that would have been included in the WPDG work plan must be included in the PPG work plan. Similarly, Tribal proposals must first be selected under this competitive grant process, and in accordance with 40 CFR 35.535. States and Tribes may not use WPDG funds for implementation of a wetlands program. For further information, see the final rules on Environmental Program Grants for State, Interstate, and local government Agencies at 40 CFR

Part 35, Subpart A and Tribes at 40 CFR Part 35, Subpart B. The rules are also available on EPA's website at: <http://www.epa.gov/fedrgstr/EPA-TOX/2001/January/Day-09/t218.pdf> (State) and at <http://www.epa.gov/fedrgstr/EPA-GENERAL/2001/January/Day-16/g219.pdf> (Tribal).

IV. APPLICATION AND SUBMISSION INFORMATION

E. REQUEST FOR APPLICATION PACKAGES

Region 8 requests final proposals for WPDG funding. Applicants will be provided with grant application packages if their proposal is selected for funding.

B. CONTENT AND FORM OF APPLICATION SUBMISSION

As provided in 40 CFR 35.107 and 35.507, for States, Tribes, local governments, interstate and intertribal agencies, work plans should include:

- (1) A summary of key objectives, outcomes, and final products;
- (2) A detailed description of project tasks, an explanation of environmental results of the project and how the project will contribute to developing or improving the wetland program;
- (3) A strategy for transferring the knowledge or techniques gained through this effort to other areas and a description of how the results can be adapted to other areas;
- (4) A project monitoring and evaluation component including performance evaluation measures and reporting schedule;
- (5) A time-line or period of performance estimating activities from the start of the grant. Qualify if some work is seasonal or tied to a specific date;
- (6) A budget and estimated funding amounts for each work plan component - the budget should correspond to the SF5700 Grant Application form budget categories. Budgets must include all items in the total project costs, not just those for the Federal Share. Remember to include the required match to the budget;
- (7) A description of roles and responsibilities of the recipient and any major partners in carrying out the work plan commitments;
- (8) Contact information for the Program Manager, Grant Project Lead Manager, and Account Manager who will be responsible for the project;
- (9) Describe how the project meets the selection criteria specified below including organizational experience and success of previous projects
- (10) Grant applicants will be required to provide a Dun and Bradstreet (D&B) Data Universal Numbering System (DUNS) number when applying for Federal grants or cooperative agreements. Organizations can receive a DUNS number in one day, at no cost, by calling the dedicated toll-free DUNS Number request line at 1-866-705- 5711 or by visiting <http://www.dnb.com>. For specific Regional information, contact your Regional Office Wetland Grant Coordinator (see Section VII for Agency Contact information).

C. SUBMISSION DATES AND TIMES - REQUIRED

The Regional deadline is December 15, 2004. Proposals postmarked after this date will NOT be considered for funding.

D. INTERGOVERNMENTAL REVIEW

Applicants requested to submit a full application may be required to comply with Intergovernmental Review Requirements (40 CFR part 29).

E. FUNDING RESTRICTIONS

Based on policy, regulation, and on experience gained from previous years we offer the following comments/restrictions on funding eligibility.

- Universities that are agencies of State government are eligible to receive grant funds from the Regional Offices through this competition. Universities must provide documentation acceptable to the EPA Regional Office to demonstrate that they function as a State agency. Universities that are not chartered as a part of State government are not eligible for direct funding from EPA Regional Offices. Also, any award recipients may award such entities contracts in accordance with 40 CFR 31.36, and subgrants in accordance with 40 CFR 31.37. The State, Tribe, or local agency, or should not simply pass through funding to an organization that is not eligible to receive funding directly. Land grant schools do not automatically qualify for direct funding as an agency of a State because of their status as a land grant school.
- Under the WPDG competitive process, funds cannot be used for land acquisition or purchase of easements. However, it may support the coordination or acceleration of research, investigations, experiments, training, demonstrations, surveys, and study efforts directed at identifying areas for acquisition, which would help address water pollution problems including wetlands protection and restoration.
- This competitive grant program cannot fund payment of taxes for landowners who have a wetland on their property.
- While contractual efforts can be a part of these grants, each WPDG recipient must be significantly involved in the administration of the grant. EPA recommends that recipients use no more than 50% of the grant funds to contract with non-governmental entities. However, if the applicant wants to exceed this limit, the applicant may submit a written justification for greater involvement by non-governmental contractors as part of the grant application package. EPA will evaluate the need for greater contractual participation and may approve the request if there is adequate justification to exceed the 50% limit. If the contractual work is being done by another S/T/LG agency, interstate agency, or intertribal consortia, these entities should be clearly indicated in the grant application.
- Inventory or mapping for the sole purpose of locating wetlands is not eligible for funding under this competition. A description of how mapping or inventory projects will directly develop or improve the eligible applicant's wetland protection programs must be included in

the grant application for these types of projects to be considered for funding under this grant program.

- Under the competition, each grant must be completed with the initial award of funds. Recipients should not anticipate additional funding beyond the initial award of funds for a specific project. Eligible applicants should request the entire amount of money needed to complete the project in the original grant application. Each grant should produce a final, discrete product. **Funding and project periods can be for more than one year.**
- Grant funds cannot be used to fund an honorarium under this competition.
- Any field work or research-type activities are limited to activities that have a direct, demonstrated link to program development or refinement included in the application.
- Purchase/lease of vehicles (including boats, motor homes) and office furniture is not eligible for funding under this program.
- Grant funds cannot be used to pay for travel by Federal agency staff.

V. APPLICATION REVIEW INFORMATION

F. SELECTION CRITERIA

For the traditional competitive WPDG funding, proposals will be evaluated using the following general categories of criteria:

- Program Area Emphasis - priority in the selection process will be given to projects which: 1) strengthen state/tribal comprehensive wetland programs, 2) develop a comprehensive monitoring and assessment program; 3) improve the effectiveness of compensatory mitigation; and 4) refine the protection of vulnerable wetlands and aquatic resources.
- Clarity of Work Plan - clearly written and detailed proposals.
- Potential Environmental Results -describe any expected outputs and outcomes in the short- and long-term and the applicant's ability to identify, track and measure expected outcomes to be achieved under the agreement.
- Transferability of Results and/or Methods to other S/T/LGs.
- Involvement/Commitment of the applicant - significant financial and personnel contribution and involvement of partners. Organizational experience and plan for timely and successfully achieving the objectives of the project. Staff expertise/qualifications and knowledge, resources, and facilities, or the ability to obtain them, to successfully achieve the goal of the project.
- Incorporation of project into broad agency wetland goals (*e.g., Government Performance Results Act (GPRA) Goals, EPA Strategic Plan* (<http://www.epa.gov/water/waterplan/documents/wetlands-sip.pdf> and <http://www.epa.gov/water/waterplan/pams/index.htm#wetlands>), or *Core Elements of a Comprehensive Wetland Program* (<http://www.epa.gov/owow/wetlands/initiative/fy02elements.html>). (Italicize)

Describe the linkage between the work intended to be accomplished under the assistance agreement and EPA's Strategic Plan/GPRA Goals

- Success of Previous Projects - Past performance in successfully completing federally and/or non-federally funded projects similar in size, scope, and relevance to the proposed project.
- History of meeting reporting requirements on prior or current assistance agreements with federal and or non-federal organizations and submitting final technical reports. History of applicant's past performance in reporting outcomes.

B. REVIEW AND SELECTION PROCESS

The Region reviews WPDG applications from States, Tribes, local governments, and interstate agencies and intertribal consortia. Regional Office staff will review the applications received in their offices and select the most competitive projects for funding on the basis of the selection criteria. Both the quality and quantity of the applications will play a significant role in the selection of grants for funding.

VI. AWARD ADMINISTRATION INFORMATION FOR COMPETITIVE PROCESS

A. AWARD NOTICES

All applicants will be notified by the EPA Regional Office on whether or not the applicant has been selected for funding. The notification is not an authorization to begin performance. A notice signed by the Grants Administration Division is the authorizing document to the applicant to begin performance.

B. ADMINISTRATIVE AND NATIONAL POLICY REQUIREMENTS

The general award and administration process for all WPDGs is governed by regulations at 40 CFR Part 31 ("Uniform Administrative Requirements for Grants and Cooperative Agreements to State and Local Governments") and 40 CFR Part 35, Subpart A ("Environmental Program Grants for State, Interstate, and Local Government Agencies") and Subpart B ("Environmental Program Grants for Tribes").

C. REPORTING

WPDGs are currently covered under the following EPA grant regulations 40 CFR Part 31 (States, Tribes, interstate agencies, intertribal consortia and local governments) and 40 CFR Part 35, Subpart A (States, interstate agencies and local governments) and Subpart B (Tribes and intertribal consortia). These regulations specify basic grant reporting requirements, including performance and financial reports (see 40 CFR 30.51, 30.52, 31.40, 31.41, 35.115, and 35.515). In negotiating these grants, EPA will work closely with recipients to incorporate appropriate performance measures and reporting requirements into each grant agreement consistent with 40 CFR 30.51, 31.40, 35.115, and 35.515. These regulations provide some flexibility in determining the

appropriate content and frequency of performance reports. At a minimum, however, the reporting schedule must require the recipient to report at least annually.

VII. AGENCY CONTACTS

The Region 8 contact is:

Brent Truskowski
United States Environmental Protection Agency, Region 8
999 18th Street, Suite 300
Denver, Colorado 80202
Phone: 303-312-6235
E-mail: truskowski.brent@epa.gov

VIII. OTHER INFORMATION

A. QUALITY ASSURANCE/QUALITY CONTROL (QA/QC) and STORET

QA/QC and peer review are applicable to these grants (see 40 CFR 30.54 and 40 CFR 31.45). QA/QC requirements apply to the collection of environmental data. Environmental data are any measurements or information that describe environmental processes, location, or conditions; ecological or health effects and consequences; or the performance of environmental technology. Environmental data include information collected directly from measurements, produced from models, and compiled from other sources such as databases or literature. Applicants should allow sufficient time and resources for this process. EPA can assist applicants determine whether QA/QC is required for the proposed project. If QA/QC is required for the project, the applicant is encouraged to work with the EPA QA/QC staff to determine the appropriate QA/QC practices for the project. If the applicant has an EPA-approved quality assurance project plan and it covers the project in the application, then they need only reference the plan in their application. Contact the Regional Office Wetland Grant Coordinator (See Section VII for Agency Contact information) for referral to an EPA QA/QC staff.

Additionally, recipients of grants for wetland monitoring projects will be encouraged to submit all data from monitoring activities to STORET (short for STOrage and RETrieval) database. STORET provides an accessible, nationwide central repository of water information of known quality. Grantee submission of monitoring data into STORET or monitoring data made available in the Advisory Council for Water Information (ACWI) Core Monitoring Data Element Standard (or Data Exchange Template) will facilitate exchange of monitoring data between EPA and its partners. Information on STORET is at <http://www.epa.gov/storet> and information on the standard is at <http://www.epa.gov/edr>.

B. PUBLIC PARTICIPATION

EPA regulations require public participation in various Clean Water Act programs including grants (40 CFR Part 25). Each applicant for EPA financial assistance shall include tasks for public participation in their project's work plan submitted in the grant application (40 CFR 25.11). The project work plan should reflect how public participation will be provided for, assisted, and accomplished.

C. ANNUAL WETLANDS MEETING/TRAINING

EPA encourages S/T/LGs to include travel plans for wetland personnel to attend at least one national wetland meeting in support of the project or for training each year (e.g., National EPA, State, Tribal, Local wetland meeting or wetland monitoring workshops). Applicants should account for travel plans and costs in the work plans and the project budget. EPA's Wetlands Program does not anticipate providing travel for State, Tribal or local government staff to attend meetings other than through this grant program.